



WEB COPY



W.P.No.4396 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.12.2022

CORAM

THE HONOURABLE **DR. JUSTICE ANITA SUMANTH**

W.P.No.4396 of 2014

&

M.P.No.2 of 2014

Dharani Sugars and Chemicals Ltd.,
Rep. by its Director, A.Sennimalai
Having Registered Office at:
PGP House, No.57, Sterling Road,
Nungambakkam, Chennai – 600 034.

...Petitioner

Vs.

1.The Chief Director (Sugar),
Directorate of Sugar,
Department of Food & Public Distribution,
Ministry of Consumers' Affairs,
Food & Public Distribution,
Krishi Bhavan, New Delhi – 110 001.

2.The Director (Cost),
Directorate of Sugar,
Department of Food & Public Distribution,
Ministry of Consumers' Affairs,
Food & Public Distribution,
Krishi Bhavan, New Delhi – 110 001.

3.The District Collector,
Tiruvannamalai District,
Tiruvannamalai.



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4.The General Manager(Commercial)
Tamil Nadu Civil Supplies Corporation,
12, Thambusamy Road,
Kilpauk, Chennai – 600 010.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned orders of the 2nd respondent passed in No.5-5(Misc.-3)2012-SC-II/336 dated 18.10.2013, quash the same and consequently directing the respondents not to issue any demand for supply of levy sugar more than the levy sugar obligation of the petitioner sugar mill situated at Karaipoondi Village, Polur Taluk, Tiruvannamalai District.

For Petitioners : Ms.Suchitra
For Mrs. P.T.Rama Devi

For Respondents : Mr.J.Madana Gopal Rao, [for R1 & R2]
Senior Panel Counsel.
Mr.B.Vijay [for R3 & R4]
Additional Government Pleader.

ORDER

Ms.Suchitra, learned counsel appearing on behalf of the learned counsel for the petitioner on record submits that proceedings have been initiated as against the petitioner company before the National Company Law Tribunal (NCLT), in terms of the Insolvency and Bankruptcy code, 2018. By order dated 29.07.2021, the NCLT has declared a moratorium in terms of Section 14 of the IBC.



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2. A memo dated 22.12.2022 has been filed by learned counsel for the petitioner to following effect :-

“I am filing this Memo as per the instructions of my client. It is respectfully submitted that the petitioner's company has been declared insolvent and so IBC proceedings are initiated against this petitioner before the Hon'ble National Company Law Tribunal, Chennai and moratorium has also come into effect. In this juncture, it is prayed that this Hon'ble Court may be pleased to record this memo and thus render justice”.

3. Recording the Memo, this Writ petition is closed. No costs.

Consequently, connected miscellaneous petition is closed.

22.12.2022

mpl

Index : Yes/No

Speaking Order/Non speaking Order



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DR.ANITA SUMANTH,J.

mpl

To

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